CF 100 (4)

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT BILASPUR

W.P.NO. 2656 / 2004

Petitioner : Ishwarlal Khobragade S/o late Shri Pannalal Khobragade, Headmaster, Aged about 42 years, Government Middle School Naya Bazar, Dallirajhara, Dist : Durg-(C.G.)

Versus

Respondents : 1. State of Chhattisgarh Through the Secretary, School Education Department, D.K.S. Bhawan, Raipur, Dist : Raipur-(C.G.)

P. R. No. 2607/04
Presented by Shri P. R. Patankar
dated 17-8-04

2. The Collector, Durg, (Adhivasi Vikas Shaka) / Assistant Commissioner Tribal Welfare, Durg, Dist : Durg-(C.G.)

WRIT PETITION UNDER ARTICLE 226 / 227 OF THE CONSTITUTION OF INDIA

(32)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

W.P No. 2656/04

मामला क्रमांक ..... **सन्** 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश

2/11/2004

Shri P. Diwakar for the petitioner.

Shri U.N.S. Deo, Govt. Adv., for respondents.

Heard.

Learned counsel for the petitioner submits that the matter relates to transfer of the petitioner. He further submits that the petitioner is in education department and the transfer has been effected by the tribal department. He also submits that in spite of time being taken, return has not been filed by the State counsel.

Shri Deo on the other hand submits that for the present the petitioner may be given an opportunity of filing the detailed representation before the competent authority of the respondents, which shall be considered on its own merits in accordance with law.

Having considered the facts and circumstances and without expressing any opinion on the merits of the case, in the opinion of this Court, ends of justice will be served if a direction is given to the petitioner to make a detailed representation raising his grievances before the competent authority of the respondents along with a copy of the petition and this order, within 10 days, and on such representation being filed, the competent authority of the respondents shall decide the same on its own merits in accordance with law by a reasoned order as early as possible preferably within six weeks from the date of receipt of the representation. It is made clear that if any grievance still remains, the petitioner may avail the remedy available under the law.

(23)

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक W.P.No.2656/04 सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अंतिम आदेश
	Counsel for the petitioner submits that the petitioner has not been relieved so far. He prays for stay till the representation is decided. In view of the facts and circumstances of the case, it is directed that till the representation is decided, if the petitioner is not relieved, he be allowed to continue. With the aforesaid observations, this petition stands disposed of. Consequently M.W.P.No.2347/04 also stands disposed of. Certified copy as per rules. **Sd/-** **Fakhruddin** **Judge**	